

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

In re:
THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO, *et al.*,

Debtors.¹

PROMESA
Title III

No. 17 BK 3283-LTS

(Jointly Administered)

In re:
THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE EMPLOYEES RETIREMENT SYSTEM OF
THE GOVERNMENT OF THE
COMMONWEALTH OF PUERTO RICO

Debtors.

PROMESA
Title III

No. 17 BK 3566-LTS

(Jointly Administered)

¹ The Debtors in these Title III Cases, along with each Debtor's respective Title III case number and the last four (4) digits of each Debtor's federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (the "Commonwealth") (Bankruptcy Case No. 17 BK 3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation ("COFINA") (Bankruptcy Case No. 17 BK 3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority ("HTA") (Bankruptcy Case No. 17 BK 3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico ("ERS") (Bankruptcy Case No. 17 BK 3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority ("PREPA") (Bankruptcy Case No. 17 BK 4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority ("PBA", and together with the Commonwealth, COFINA, HTA, ERS, and PREPA, the "Debtors") (Bankruptcy Case No. 19-BK-5523-LTS) (Last Four Digits of Federal Tax ID: 3801) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

In re:
THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

PUERTO RICO PUBLIC BUILDINGS
AUTHORITY,

Debtors.

PROMESA
Title III

No. 19 BK 5523-LTS

(Jointly Administered)

**INFORMATIVE MOTION REGARDING PUBLICATION OF
(A) NOTICE OF DEADLINES FOR FILING PROOFS OF CLAIM FOR CREDITORS
OF THE PUERTO RICO PUBLIC BUILDINGS AUTHORITY,
(B) NOTICE OF EXTENDED DEADLINES FOR FILING PROOFS OF CLAIM FOR
CREDITORS OF THE PUERTO RICO PUBLIC BUILDINGS AUTHORITY, AND (C)
NOTICE OF DEADLINE FOR SUBMITTING INFORMATION FORMS FOR
RETIREMENT BENEFICIARIES OF THE COMMONWEALTH OF PUERTO RICO
AND THE EMPLOYEES RETIREMENT SYSTEM OF THE GOVERNMENT OF THE
COMMONWEALTH OF PUERTO RICO**

To the Honorable United States District Court Judge Laura Taylor Swain:

The Commonwealth of Puerto Rico (the “Commonwealth”), the Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”), and the Puerto Rico Public Buildings Authority (“PBA,” and together with the Commonwealth and ERS, the “Debtors”), by and through the Financial Oversight and Management Board for Puerto Rico (the “Oversight Board”), as representative for the Debtors pursuant to Section 315(b) of the Puerto Rico Oversight, Management and Economic Stability Act (“PROMESA”),² hereby respectfully state as follows:

I. Notices Regarding the PBA Bar Date

1. On March 11, 2020, this Court entered the *Order (A) Establishing Deadlines and Procedures for Filing Proofs of Claim and (B) Approving Form and Manner of Notice Thereof*

² PROMESA has been codified at 48 U.S.C. §§ 2101-2241.

[Case No. 19-bk-5523, ECF No. 55] (the “Bar Date Order”). Among other things, the Bar Date Order (a) established deadlines and procedures for creditors of PBA to file proofs of claim in PBA’s Title III case, (b) approved the form of notice to PBA creditors regarding such deadlines and procedures (the “Bar Date Notice”), which was attached to the Bar Date Order as Exhibit 1-A, and (c) established procedures for PBA to provide notice of the deadlines and procedures for filing proofs of claim to potential creditors of PBA via first-class mail and via publication notice.

2. Pursuant to the Bar Date Order, within fifteen days of the date of entry of the Bar Date Order, PBA was authorized and directed to serve copies of the Bar Date Notice via first-class mail on (a) all parties listed on PBA’s Creditors List; (b) the Office of the United States Trustee for the District of Puerto Rico; (c) the statutory committees appointed in this Title III Case; (d) the Office of the United States Attorney for the District of Puerto Rico; (e) the Puerto Rico Department of Justice; (f) the Internal Revenue Service; (g) local taxing authorities; and (h) all parties filing a notice of appearance in PBA’s Title III Case. Bar Date Order at ¶ 15.

3. Further, PBA was authorized and directed, within fifteen days of the date of entry of the Bar Date Order, to cause a copy of the Bar Date Notice to be published in (a) El Nuevo Día in Spanish (primary circulation is in Puerto Rico), (b) Caribbean Business in English (primary circulation is in Puerto Rico), (c) El Diario and El Nuevo Herald, both in Spanish (primary circulation is in New York and Miami, respectively), and (d) The Bond Buyer. Bar Date Order at ¶ 16.

4. Due to the closure of facilities required by the Governor of Puerto Rico’s *Executive Order of the Governor of Puerto Rico, Hon. Wanda Vázquez Garced, to Make Viable the Necessary Government and Private Closures to Fight the Effects of Coronavirus (COVID-19) and Control the Risk of Contagion on Our Island*, Administrative Bulletin No. OE-2020-023 (the

“Executive Order”), which closures were subsequently extended through April 12, the Puerto Rico-based Collection Centers (as defined in the Bar Date Motion) for claimants to file proofs of claim by hand delivery will not open prior to April 13, 2020. Accordingly, PBA filed the *Urgent Motion (A) To Extend Deadline for Filing Proofs of Claim and (B) To Approve Form and Manner of Notice Thereof* [Case No. 19-bk-5523, ECF No. 56] (the “Urgent Motion”).³ The Urgent Motion sought an order (a) extending the deadline for creditors of PBA to file proofs of claim in PBA’s Title III Case until May 15, 2020 at 4:00 pm (Atlantic Standard Time) and (b) approving PBA’s proposed form of notice.

5. On March 18, 2020, this Court entered the *Order (A) Extending Deadlines for Filing Proofs of Claim and (B) Approving Form and Manner of Notice Thereof* [Case No. 19-bk-5523, ECF No. 57] (the “Bar Date Extension Order”). Among other things, the Bar Date Extension Order (a) extended the deadline for creditors of PBA to file proofs of claim in PBA’s Title III case, and (b) approved the form of notice to PBA creditors regarding such extension (the “Bar Date Extension Notice”), which was attached to the Bar Date Extension Order as Attachment 1. Pursuant to the Bar Date Extension Order, PBA was authorized and directed to cause a copy of the Bar Date Extension Notice to be published, as soon as practicable under the circumstances, in (a) El Nuevo Día in Spanish (primary circulation is in Puerto Rico), (b) Caribbean Business in English (primary circulation is in Puerto Rico), (c) El Diario and El Nuevo Herald, both in Spanish (primary circulation is in New York and Miami, respectively), and (d) The Bond Buyer. Bar Date Extension Order at ¶ 4.

³ PBA reserves the right to seek supplemental relief as a result of such extended closures.

II. Notices regarding Pre-Solicitation Procedures

6. On March 18, 2020, this Court entered the *Order (A) Establishing Pre-Solicitation Procedures for Certain Holders of Retirement Benefit Claims, (B) Establishing Procedures and Deadlines for Submission of Information Necessary for Solicitation of Acceptance or Rejection of Plan of Adjustment, and (C) Approving Form and Manner of Notice Thereof* [Case No. 17-bk-3566, ECF No. 837] (the “Pre-Solicitation Procedures Order”). Among other things, the Pre-Solicitation Procedures Order established procedures and deadlines for submission of certain biographical information necessary for soliciting acceptance or rejection of a plan of adjustment from certain claimants and approved the forms of notice thereof, which were attached to the Pre-Solicitation Procedures Order as Exhibits 1-A (the “Return Date Notice”) and 1-B (the “Reminder Notice”).

7. Pursuant to the Pre-Solicitation Procedures Order, the Debtors were authorized and directed to cause a copy of the Return Date Notice to be published on or before March 19, 2020 (or as soon as practicable thereafter) in (a) *El Nuevo Día* in Spanish (primary circulation is in Puerto Rico), (b) *Caribbean Business* in English (primary circulation is in Puerto Rico), (c) *El Diario* and *El Nuevo Herald*, both in Spanish (primary circulation is in New York and Miami, respectively), (d) *El Vocero* in Spanish (primary circulation is in Puerto Rico), and (e) *Primera Hora* in Spanish (primary circulation is in Puerto Rico). Pre-Solicitation Procedures Order at ¶ 9. Further, the Debtors were authorized and directed to cause a copy of the Reminder Notice to be published on a date that is no fewer than fourteen days prior to the Return Date, which is set for May 21, 2020. Pre-Solicitation Procedures Order at ¶ 10.

III. Service of the PBA Bar Date Notice, the PBA Bar Date Extension Notice, and the Return Date Notice

8. With respect to the Bar Date Notice, on Thursday, March 19, 2020, PBA caused a copy to be published in El Diario, El Nuevo Día, El Nuevo Herald, Caribbean Business, and the Bond Buyer.

9. With respect to the Return Date Notice, the Debtors caused a copy to be published in El Diario, El Nuevo Día, Primera Hora, and El Vocero on Tuesday, March 24, 2020. Further, the Debtors caused a copy to be published in El Nuevo Herald on March 26, 2020.

10. With respect to the Bar Date Extension Notice, PBA caused a copy to be published in the Bond Buyer on Monday, March 23, 2020, in El Diario and El Nuevo Día on Thursday, March 26, 2020, and in El Nuevo Herald on Monday, March 30, 2020.

11. Further, on Thursday, March 26, 2020, PBA served copies of the Bar Date Notice and the Bar Date Extension Notice via first-class mail to (a) all parties listed on PBA's Creditors List for which PBA has a mailing address; (b) the Office of the United States Trustee for the District of Puerto Rico; (c) the statutory committees (if any) appointed in this Title III Case; (d) the Office of the United States Attorney for the District of Puerto Rico; (e) the Puerto Rico Department of Justice; (f) the Internal Revenue Service; (g) local taxing authorities; and (h) all parties filing a notice of appearance in PBA's Title III Case.

12. PBA scheduled the Bar Date Extension Notice and the Return Date Notice for publication in Caribbean Business on March 26, 2020. However, due to its suspension of publication, Caribbean Business did not publish on March 26, 2020 as originally anticipated. Further, PBA understands that Caribbean Business does not expect to publish during the month of April. PBA will publish the Bar Date Extension Notice and the Return Date Notice in Caribbean Business as soon as practicable, which PBA currently expects will occur in May 2020.

Dated: March 31, 2020

San Juan, Puerto Rico

Respectfully submitted,

/s/ Hermann D. Bauer

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